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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,612	09/28/2004	Daniel Alec Gulkis	2006579-0316	5611
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TRUONG, LECHU				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,612

Applicant(s)

GULKIS, DANIEL ALEC

Examiner

LECHI TRUONG

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/US)
Paper No(s)/Mail Date 04/15/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-40 are presented for the examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-40 directed to the method claims that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a 101 statutory process, the claim should be positively reciting the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the method steps. Appropriate correction is required to add the computer performs all the steps of the methods.

Claim Rejections - 35 USC § 112

3. Claims 17-23, 27-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
4. As to claims 17, 27, the limitation "issuing the received response to the selected proxy" application was not described in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **1, 5, 8-11, 16-18, 20, 22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leone (US 2004/0100651 A1) in view of Leurig (US. 20030014368) in view of Struble(US 7142333 B2) and further in view of Seki (US 20080189434). █

As to claim 1, Leone teaches the invention substantially as claimed including: image acquisition devices(network printer 24, para[0027], ln 20-26/ para[0031], ln 1-6/ Fig. 3), a client(client, para[0031], ln 1-6/ Fig. 3) a presentation-level protocol(an HTTP server 48, para[0030], ln 4-10/ Fig. 3, providing a client communicating with a server using a presentation-level protocol(para[0030], ln 15-23), a proxy application(print proxy applet 38, para[0034], ln 1-10/ Fig. 3), an application executing on a server(processing application 46, para[0034], ln 1-10), said client executing a proxy application associated with an application executing on a server(para[0034], ln 1-10); a command(the print specification command, para[0030], ln 18-23/ the print-ready data stream, para[0030], ln 18-23), receiving at said proxy application, from a server via a network, a command directed to an image-acquisition device

associated with the client(para[0030], ln 18-13 to para[0031], ln 1-5); issuing the received command to the associated image-acquisition device(para[0031], ln 1-5).

Leone does not explicitly teach receiving, from the image-acquisition device, a response to an issued event transmitting to the server via a network, the received response. However, Leurig teaches a response to an issued event transmitting to the server via a network, the received response (After the data file is prepared at server 104, the file is securely downloaded to client 108 (step 318) for further processing. Client computer 108 suitably decrypts and/or decompresses the data file, as appropriate, and converts the data file into a format that is appropriate for printing such as POSTSCRIPT format or another format that is understood by printer 110 (step 332). Client computer 108 may further encrypt and/or compress the resultant printable file with DES or another encryption routine prior to transmittal to printer 110, para [0047], ln 1-11/ client computer 108 communicates with printer 110 via a secure connection that is encrypted by DES, SSL or other cryptographic techniques. After printing is complete, printer 110 provides a status response (step 322) to client system 108, which in turn provides a status report to server 104 (step 324) to complete the transaction, para[0048], ln 5-9).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Leone with Leurig to incorporate the feature of receiving, from the image-acquisition device, a response to a issued event transmitting to the server via a network, the received response because this allows an administrator at a central location to approve checks the printer that are subsequently printed at remote locations.

Leone and Leurig do not teach the response comprising an acquired image. However, Struble teaches teach the response comprising an acquired image (server 204 queries scanner 206

to request electronic document(s) 207 from scanner 206 (step 256). In response, scanner 206 images paper document(s) 208 and sends electronic document(s) to server 204, col 5, ln 18-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Leone and Leurig with Struble to incorporate the feature of the response comprising an acquired image because this provides an easy way to access or exposure to the computer associated with the scanner with a desirable event.

Leone, Leurig and Struble do not teach selecting a proxy application from a plurality of proxy applications executing on a client communicating with a server, the selected proxy application associated with an application executing on a server. However, Seki teaches selecting a proxy application from a plurality of proxy applications executing on a client communicating with a server, the selected proxy application associated with an application executing on a server (applying the FP compression to communications between one server side proxy 30 and a plurality of client side proxies 40 (the case where one client side proxy 40 carries out a communication to which the FP compression is applied, with one server side proxy 30 at a given timing, para[0070], ln 1-5/ the server side proxy 30 manages a correspondence between a fingerprint and data for each client side proxy 40 which is a correspondent of a communication to which the FP compression is to be applied, para[0081], ln 3-10). Note that the server side proxy 30 can identify the client side proxy 40 to which the data received from the server 20 should be transferred, according to a prescribed communication regulation, para[0083], ln 1-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Leone, Leurig and Struble with Seki to incorporate the feature of selecting a proxy application from a plurality of proxy applications executing on a client

communicating with server, the selected proxy application associated with an application executing on a server because this allows server side data transfer devices and client side data transfer devices can be provided in multiple-to-one, one-to-multiple, or multiple-to-multiple manners.

As to claim 5, Leurig teaches directly issuing to the image-acquisition device a command based on the received command (para [0047], ln 1-11).

As to claim 8, Leurig teaches from a second server via the network(document management servers may be connected over the same network N, para[0020], ln 1-7) and Leone teaches command directed to the image-acquisition device associated with the client(para[0030], ln 18-13 to para[0031], ln 1-5).

As to claim 9, Leone teaches receiving, from the server via the network, a second command directed to a second image-acquisition device associated with the client (para [005], ln 12-18).

As to claim 10, Leurig teaches a second server via the network(document management servers may be connected over the same network N, para[0020], ln 1-7) , a second image-acquisition device associated with the client(para[0016], ln 9-10).

As to claim 11, Leurig teaches receiving, from the image-acquisition device, data representing an image (para [0047], ln 1-11).

As to claim 16, Leone teaches determining whether to transmit the received input to the server (para [0016], ln 9-13).

As to claim 17, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Leone teaches receiving, from a client via a network, an

image acquisition event; providing the received event to an application program associated with the event; receiving, from the application program, a response to the transmitted event (para [0016], ln 1-14/ para [0018], ln 7-15), a client associated with an image acquisition device (para[0005], ln 23-25/ Fig. 1) and Struble teaches teach an image acquired from the image acquisition device(server 204 queries scanner 206 to request electronic document(s) 207 from scanner 206 (step 256). In response, scanner 206 images paper document(s) 208 and sends electronic document(s) to server204, col 5, ln 18-21) and Seki teaches issuing the received response to the selected proxy application(para[0194], ln 1-3 to para[0195], ln 1-3).

As to claim 18, Leone teaches determining, from the received event, an application program associated with the received event; and (b-2) providing the received event to the determined application program (Para [0034], ln 1-15).

As to claims 20, 22, Leone teaches receiving from a client data represented and image acquired/ event (para [0016, ln 4-12).

As to claim 23, Leurig teaches providing event received from the second client to second instances of application program associated with the event (para [0047], ln 1-11).

As to claim 24, it is an apparatus claim of claims 1; therefore, it is rejected for the same reason as claim 1 above.

6. Claims **2, 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leone (US 2004/0100651 A1) in view of Leurig (US. 20030014368) in view of Struble(US 7142333 B2) in view of Seki (US 20080189434), as applied to claim 1 above, and further in view of Wei (US 6654784 B1).

As to client 2, Leone, Leurig, Struble and Seki do not teach the group consisting of ICA, RDP and X-WINDOWS. However, Wei teaches (The communication between client and server is through well-established protocols, such as X-Windows Protocol, Microsoft Remote Display Protocol (RDP) or Citrix Independent Computing Architecture (ICA), col 2, ln 58-65) .

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Leone, Leurig , Struble and Seki with Wei to incorporate the feature of ICA, RDP and X-WINDOWS because this improves the communication between client and server through the well-established protocols.

As to claim 25, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

7. Claims **3, 4, 19, 26-29, 32-35, 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leone (US 2004/0100651 A1) in view of Leurig(US. 20030014368) in view of Struble(US 7142333 B2) , in view of Seki (US 20080189434), as applied to claim 1 above, and further in view of (APA) Admitted Prior Art.

As to claim 3, Leone, Leurig, Struble and Seki do not the image-acquisition device a TWAIN API call. However, APA teaches image-acquisition device a TWAIN API call (Twain is a standard framework for imaging applicants. The applications call a well-known API to control document scanners, para [0002], ln 1-5).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Leone, Leurig, Struble and Seki with APA to incorporate the feature of a TWAIN API call because this provides a quick and easy way for developers to capture image from the entire compliant scanner.

As to claim 4, APA teaches issuing to the image-acquisition device a device driver call based on the received command, para [0003], ln 4-8).

As to claims 19, 26, 27, 28, 29, they are apparatus claims of claims 1, 3, 4, 17; therefore, they are rejected for the same reasons as claims 1, 3, 4, 17 above.

As to claims 32-35, 40, the are apparatus claims of claims 1, 5, 8-12, 16; therefore, they are rejected for the same reasons as claims 1, 5, 8-12, 16 above.

8. Claims **6, 7, 30-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leone (US 2004/0100651 A1) in view of Leurig(US. 20030014368) in view of Struble (US 7,142,333 B2), in view of Seki (US 20080189434), as applied to claim 1 above, and further in view of Peterson(US 7,095,905).

As to claim 6, Leone, Leurig, Struble and Seki do not teach the issued command including an indication to suppress display of a dialog box to a user. However, Peterson teaches the issued command including an indication to suppress display of a dialog box to a user(the network server 42 transmits the web page 70 to a user on client computer 14, 16, 18 to allow the user to send images 11 to the server 12. The user may add images to the web page by clicking on

an add button 72. The web page 70 includes images 11a-11d that have been added to the web page 70 using the add button 72. The images 11a-11d depicts overlapping segments of a view of a tree. The user may transmit each of the images 11a-11d by clicking on an upload button 74a-74d that corresponds to the image, col 4, ln 25-35, Fig. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Leone, Leurig, Struble and Seki with Peterson to incorporate the feature of the issued command including an indication to suppress display of a dialog box to a user this allows users at different locations to collaborate the panoramic images.

As to claim 7, Peterson teaches displaying a second dialog box to a user in lieu of the suppressed dialog box (col 4, ln 25-4).

As to claims 30-31, they are apparatus claims of claims 6-7; therefore, they are rejected for the same reasons as claims 6-7 above.

9. Claims **12-15, 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leone (US 2004/0100651 A1) in view of Leurig(US. 20030014368) in view of Struble(US 7142333 B2), in view of Seki (US 20080189434), as applied to claim 1 above, and further in view of Dellert(US 5267051).

As to claim 12, Leone, Leurig and Struble do not teach compressed image data. However, Dellert teaches compressed image data (two-dimensional image compression, col 4, ln 28-30).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Leone, Leurig, Struble and Seki with Dellert to incorporate the feature of compressed image data because this provides high speed data communication of the imagery data over a digital communication link.

As to claim 13, Dellert teaches determining that the image data comprises more than one bit for each pixel location prior to transmitting (col 3, ln 1-10).

As to claim 14, Dellert teaches compressing the image data using a first compression algorithm to form first compressed image data; compressing the image data using a second compression algorithm to form second compressed image data (col 2, ln 5-10), selecting for transmission the smaller of the first compressed image data and the second compressed image data (col 5, ln 25-30).

As to claim 15, Dellert teaches compressing compressed image data during transmission (col 5, ln 25-30).

As to claim 21, Dellert teaches decompressing the received image acquisition data (col 2, ln 25-30).

10. Claims **36-39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leone (US 2004/0100651 A1) in view of Leurig(US. 20030014368) in view of Struble(US 7142333 B2), in view of Seki (US 20080189434), in view of Admitted Prior Art(APA),as applied to claim 27 above, and further in view of Dellert(US 5267051).

As to claim 36, Leone, Leuring, Struble, Seki and APA do not teach determining that the image data comprises more than one bit for each pixel location prior to transmitting. However, Dellert teaches determining that the image data comprises more than one bit for each pixel location prior to transmitting (col 3, ln 1-10).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Leone, Leurig, Struble, Seki and APA with Dellert to incorporate determining that the image data comprises more than one bit for each pixel location prior to transmitting because this provides high speed data communication of the imagery data over a digital communication link.

As to claim 37, Dellert teaches compressed image data (two-dimensional image compression, col 4, ln 28-30).

As to claim 38, Delbert teaches compressing the image data using a first compression algorithm to form first compressed image data; compressing the image data using a second compression algorithm to form second compressed image data (col 2, ln 5-10), selecting for transmission the smaller of the first compressed image data and the second compressed image data (col 5, ln 25-30).

As to claim 39, Dellert teaches compressing compressed image data during transmission (col 5, ln 25-30).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/LeChi Truong/

Examiner, Art Unit 2194

LeChi Truong

January 28, 2009

